

# **EXHIBIT A**

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**From:** Robbins, Ellen S. [erobbins@Sidley.com]  
**Sent:** Saturday, June 01, 2013 7:27 AM  
**To:** Andrea P Roberts; Microsoft v Moto Breach of RAND Case; summit1823@summitlaw.com; RopesWashington1823-Microsoft\_Motorola@ropesgray.com  
**Cc:** shanec@calfoharrigan.com; chrisw@calfoharrigan.com; arthurh@calfoharrigan.com; Project-MS/Moto\_WDWA\_343/1823  
**Subject:** Re: Experts for Breach Trial

Andrea,  
Thank you for your response. Our understanding is mutual. Have a nice weekend.

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**From:** Andrea P Roberts [mailto:andreasroberts@quinnemanuel.com]  
**Sent:** Friday, May 31, 2013 06:59 PM  
**To:** Andrea P Roberts <andreasroberts@quinnemanuel.com>; Robbins, Ellen S.; Microsoft v Moto Breach of RAND Case <MicrosoftvMotoBreachofRANDCase@quinnemanuel.com>; summit1823@summitlaw.com <summit1823@summitlaw.com>; RopesWashington1823-Microsoft\_Motorola@ropesgray.com <RopesWashington1823-Microsoft\_Motorola@ropesgray.com>  
**Cc:** shanec@calfoharrigan.com <shanec@calfoharrigan.com>; chrisw@calfoharrigan.com <chrisw@calfoharrigan.com>; arthurh@calfoharrigan.com <arthurh@calfoharrigan.com>; Project-MS/Moto\_WDWA\_343/1823  
**Subject:** RE: Experts for Breach Trial

Ellen,

I write in response to your email below and our telephone call this morning. You explained today that Microsoft is asking Motorola to confirm that if Motorola intends to put on an expert in the August 2013 breach of contract trial, that expert must provide a report in this phase of the case. We confirm, provided of course that this is mutual. In other words, the only experts who will testify in the August 2013 breach of contract trial are those who submitted or will submit reports in this phase of the case (i.e. opening reports on May 29 and rebuttal reports on June 10). If Microsoft's understanding is different, please promptly let us know.

Thank you and have a nice weekend.

Andrea

**Andrea Pallios Roberts**  
*Of Counsel*,  
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**From:** Andrea P Roberts  
**Sent:** Friday, May 31, 2013 9:14 AM  
**To:** Robbins, Ellen S.; Microsoft v Moto Breach of RAND Case; [summit1823@summitlaw.com](mailto:summit1823@summitlaw.com); RopesWashington1823-  
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MS/Moto\_WDWA\_343/1823  
**Subject:** RE: Experts for Breach Trial

Ellen,

We're not sure that we understand what you are asking. Can you please clarify? Motorola intends to and has complied with Rule 26 and the Court's schedule.

Thanks,  
Andrea

**Andrea Pallios Roberts**  
*Of Counsel*,  
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**From:** Robbins, Ellen S. [<mailto:erobbins@Sidley.com>]  
**Sent:** Thursday, May 30, 2013 6:56 PM  
**To:** Andrea P Roberts; Microsoft v Moto Breach of RAND Case; [summit1823@summitlaw.com](mailto:summit1823@summitlaw.com); RopesWashington1823-  
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MS/Moto\_WDWA\_343/1823  
**Subject:** Re: Experts for Breach Trial

Counsel,  
We would appreciate a response this evening to the email below. Thank you.

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**From:** Robbins, Ellen S.  
**Sent:** Thursday, May 30, 2013 12:48 PM  
**To:** [andreasroberts@quinnmanuel.com](mailto:andreasroberts@quinnmanuel.com) <[andreasroberts@quinnmanuel.com](mailto:andreasroberts@quinnmanuel.com)>;  
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<[arthurh@calfoharrigan.com](mailto:arthurh@calfoharrigan.com)>; Project-MS/Moto\_WDWA\_343/1823

**Subject:** Experts for Beach Trial

Andrea,

We are writing to confirm our understanding that for the August 26 trial the parties will not be presenting testimony from any experts who have not provided a disclosure/report consistent with the schedule set by Judge Robart for expert reports in this phase - i.e. initial reports due May 29, rebuttal reports due June 10. Thank you.

***Ellen S. Robbins***

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**EXHIBIT B**